No. 1

[illegible]

1.

Investigation
of the
Branch Mint
New Orleans
1838 & 1839

ACT OF JANUARY 18, 1837,

RELATIVE TO

THE MINT AND COINAGE

OF THE

UNITED STATES.

TO WHICH ARE ANNEXED

THE OTHER LEGAL PROVISIONS

STILL IN FORCE ON THE SAME SUBJECT.

PHILADELPHIA:
PRINTED FOR THE USE OF THE MINT.
1837.

AN ACT

SUPPLEMENTARY TO THE ACT, ENTITLED "AN ACT ESTABLISHING A MINT, AND REGULATING THE COINS OF THE UNITED STATES."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers of the Mint of the United States shall be a Director, a Treasurer, an Assayer, a Melter and Refiner, a Chief Coiner, and an Engraver, to be appointed by the President of the United States, by and with the advice and consent of the Senate.

SEC. 2. *And be it further enacted*, That the respective duties of the officers of the Mint shall be as follows:

First. The Director shall have the control and management of the Mint, the superintendence of the officers and persons employed therein, and the general regulation and supervision of the business of the several Branches. And in the month of January of every year he shall make report to the President of the United States of the operations of the Mint and its Branches for the year preceding; and also to the Secretary of the Treasury, from time to time, as said

Secretary shall require, setting forth all the operations of the Mint subsequent to the last report made upon the subject.

Second. The Treasurer shall receive, and safely keep, all moneys which shall be for the use and support of the Mint; shall keep all the current accounts of the Mint, and pay all moneys due by the Mint, on warrants from the Director. He shall receive all bullion brought to the Mint for coinage; shall be the keeper of all bullion and coin in the Mint, except while the same is legally placed in the hands of other officers; and shall, on warrants from the Director, deliver all coins struck at the Mint to the persons to whom they shall be legally payable. And he shall keep regular and faithful accounts of all the transactions of the Mint, in bullion and coins, both with the officers of the Mint and the depositors; and shall present, quarter yearly, to the Treasury Department of the United States, according to such forms as shall be prescribed by that department, an account of the receipts and disbursements of the Mint, for the purpose of being adjusted and settled.

Third. The Assayer shall carefully assay all metals used in coinage, whenever such assays are required in the operations of the Mint; he shall also make assays of coins whenever instructed to do so by the Director.

Fourth. The Melter and Refiner shall execute all the operations which are necessary in order to form ingots of standard silver or gold, suitable for the Chief Coiner, from the metals legally delivered to him for that purpose.

Fifth. The Chief Coiner shall execute all the operations which are necessary in order to form coins, conformable in all respects to the law, from the standard silver and gold ingots, and the copper planchets, legally delivered to him for this purpose.

Sixth. The Engraver shall prepare and engrave, with the legal devices and inscriptions, all the dies used in the coinage of the Mint and its Branches.

Sec. 3. *And be it further enacted,* That the Director shall appoint, with the approbation of the President, assistants to the Assayer, Melter and Refiner, Chief Coiner, and Engraver, and clerks for the Director and Treasurer, whenever, on representation made by the Director to the President, it shall be the opinion of the President that such assistants or clerks are necessary. And it shall be the duty of the assistants to aid their principals in the execution of their respective offices, and of the clerks to perform such duties as shall be prescribed for them by the Director.

Sec. 4. *And be it further enacted,* That whenever any officer of the Mint shall be temporarily absent, on account of sickness, or any other sufficient cause, it shall be lawful for the Director, with the consent of the said officer, to appoint some person attached to the Mint to act in the place of such officer during his absence: and to employ such workmen and servants in the Mint as he shall from time to time find necessary.

Sec. 5. *And be it further enacted,* That every officer, assistant, and clerk of the Mint, shall, before he enters upon the execution of his office, take an oath or affirmation before some judge of the United States, or judge of the superior court, or any court of record of any state, faithfully and diligently to perform the duties thereof.

Sec. 6. *And be it further enacted,* That the following officers of the Mint, before entering upon the execution of their respective offices, shall become bound to the United States, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sums hereinafter mentioned, with condition for the faithful and diligent performance of the duties of their offices, viz: The Treasurer in the sum of ten thousand dollars; the Assayer in the sum of five thousand dollars; the Melter and Refiner in the sum of ten thousand dollars; and the Chief Coiner in the sum of ten thousand dollars. And that similar bonds may also be required of the assistants and clerks, in such sums as the Director shall determine, with the approbation of the Secretary of the Treasury.

Sec. 7. *And be it further enacted*, That there shall be allowed to the officers of the Mint the following salaries per annum:—To the Director, for his services, including traveling expenses incurred in visiting the different Branches, and all other charges whatever, three thousand five hundred dollars; to the Treasurer, Assayer, Melter and Refiner, Chief Coiner, and Engraver, each, two thousand dollars; to the assistants and clerks, such annual salaries shall be allowed as the Director may determine, with the approbation of the President: *Provided*, That an assistant shall not receive more than fifteen hundred dollars, and that a clerk shall not receive more than twelve hundred dollars. To the workmen and servants shall be allowed such wages, to be determined by the Director, as may be customary and reasonable, according to their respective stations and occupations; and that the salaries provided for in this section shall be payable in quarterly instalments.

Sec. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that the silver do not exceed one half of the whole alloy.

Sec. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one half grains; the half dollar of the weight of two hundred and six and one fourth grains; the quarter dollar of the weight of one hundred and three and one eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and one fourth grains; and the half dime, or twentieth part of a dollar, of the weight of twenty and five eighth grains. And that dollars, half dollars, quarter dollars, dimes, and half dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Sec. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half eagle one hundred and twenty-nine grains; and that of the quarter eagle sixty-four and one half grains. And that, for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half eagle for five dollars; and the quarter eagle for two and a half dollars.

Sec. 11. *And be it further enacted*, That the silver coins heretofore issued at the Mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment, for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Sec. 12. *And be it further enacted*, That of the copper coins, the weight of the cent shall be one hundred and sixty-eight grains, and the weight of the half cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half cent of the value of one two-hundredth part of a dollar.

Sec. 13. *And be it further enacted*, That upon the coins struck at the Mint there shall be the following devices and legends: Upon one side of each of said coins there shall be an impression emblematic of liberty, with an inscription of the word LIBERTY, and the year of the coinage; and upon the reverse of each of the gold and silver coins, there shall be the figure or representation of an eagle, with the inscription UNITED STATES OF AMERICA, and a designation of the value of the coin; but on the reverse of the dime and half dime, cent and half cent, the figure of the eagle shall be omitted.

Sec. 14. *And be it further enacted*, That gold and silver bullion brought to the Mint, for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor: *Provided*, That it shall be lawful to refuse, at the Mint, any deposite of less value than one hundred dollars, and any bullion so base as to be unsuitable for the operations of the Mint: *And provided, also*, That when gold and silver are combined, if either of these metals be in such small proportion that it cannot be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

Sec. 15. *And be it further enacted*, That when bullion is brought to the Mint, for coinage, it shall be weighed by the Treasurer, in the presence of the depositor, when practicable, and a receipt given, which shall state the description and weight of the bullion: *Provided*, That when the bullion is in such a state as to require melting before its value can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

Sec. 16. *And be it further enacted*, That from every parcel of bullion deposited for coinage, the Treasurer shall deliver to the Assayer a sufficient portion for the purpose of being assayed; but all such bullion remaining from the operations of the assay shall be returned to the Treasurer by the Assayer.

Sec. 17. *And be it further enacted*, That the Assayer shall report to the Treasurer the quality or standard of the bullion assayed by him; and he shall also communicate to the Treasurer such information as will enable him to estimate the amount of the charges hereinafter provided for, to be made to the depositor, for the expenses of converting the bullion into standard metal fit for coinage.

Sec. 18. *And be it further enacted*, That the only subjects of charge by the Mint to the depositor shall be the following:—For refining, when the bullion is below standard; for toughening, when metals are contained in it which render it unfit for coinage; for copper used for alloy, when the bullion is above standard; for silver introduced into the alloy of gold; and for separating the gold and silver, when these metals exist together in the bullion; and that the rate of these charges shall be fixed, from time to time, by the Director, with the concurrence of the Secretary of the Treasury, so as not to exceed, in their judgment, the actual expense to the Mint of the materials and labour employed in each of the cases aforementioned; and that the amount received from these charges shall be accounted for, and appropriated for defraying the contingent expenses of the Mint.

Sec. 19. *And be it further enacted*, That from the report of the Assayer, and the weight of the bullion, the Treasurer shall estimate the whole value of each deposite, and also the amount of the charges or deductions, if any; of all which he shall give a detailed memorandum to the depositor; and he shall also give, at the same time, under his hand, a certificate of the net amount of the deposite, to be paid in coins of the same species of bullion as that deposited.

Sec. 20. *And be it further enacted*, That parcels of bullion shall be, from time to time, transferred by the Treasurer to the Melter and Refiner; that a careful record of these transfers, noting the weight and character of the bullion, shall be kept; and that the bullion thus placed in the hands of the Melter and Refiner shall be subjected to the several processes which may be necessary to form it into ingots of the legal standard, and of a quality suitable for coinage.

Sec. 21. *And be it further enacted*, That the ingots thus prepared shall be assayed by the Assayer, and if they prove to be within the limits allowed for deviation from the standard, they shall be transferred by the Melter and Refiner to the Treasurer, accompanied by the Assayer's certificate of their fineness; and that a careful record of the transfer shall be kept by the Treasurer.

Sec. 22. *And be it further enacted*, That no ingots of gold shall be used for coinage of which the quality differs more than two thousandths from the legal standard; and that no ingots of silver shall be used for coinage of which the quality differs more than three thousandths from the legal standard.

Sec. 23. *And be it further enacted*, That in the Treasurer's account with the Melter and Refiner, the Melter and Refiner shall be debited with the standard weight of all the bullion placed in his hands, that is to say, with the weight of metal of legal standard fineness which it will make; and that he shall be credited by the standard weight of all the ingots delivered by him to the Treasurer; and that once at least in every year, at such time as the Director shall appoint, the Melter and Refiner shall deliver up to the Treasurer all the bullion in his possession, in order that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of bullion delivered to him and received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of gold and silver bullion, respectively, that had been delivered to him by the Treasurer.

Sec. 24. *And be it further enacted*, That the Treasurer shall, from time to time, deliver over to the Chief Coiner, ingots for the purpose of coinage; that he shall keep a careful record of these transfers, noting the weight and description of the ingots; and that the ingots thus placed in the hands of the Chief Coiner shall be passed through the several processes necessary to make from them coins in all respects conformable to law.

Sec. 24. *And be it further enacted*, That in adjusting the weights of the coins, the following deviations from the standard weight shall not be exceeded in any of the single pieces:—In the dollar and half dollar, one grain and a half; in the quarter dollar, one grain; in the dime and half dime, half a grain; in the gold coins, one quarter of a grain; in the copper coins, one grain in the pennyweight; and that in weighing a large number of pieces together, when delivered from the Chief Coiner to the Treasurer, and from the Treasurer to the depositors, the deviations from the standard weight shall not exceed the following limits: Four pennyweights in one thousand dollars; three pennyweights in one thousand half dollars; two pennyweights in one thousand quarter dollars; one pennyweight in one thousand dimes; one pennyweight in one thousand half dimes; two pennyweights in one thousand eagles; one and a half pennyweight in one thousand half eagles; one pennyweight in one thousand quarter eagles.

Sec. 26. *And be it further enacted*, That the Chief Coiner shall, from time to time, as the coins are prepared, deliver them over to the Treasurer, who shall keep a careful record of their kind, number, and weight; and that in receiving the coins it shall be the duty of the Treasurer to see whether the coins of that delivery are within the legal limits of the standard weight; and if his trials for this purpose shall not prove satisfactory, he shall cause all the coins of this delivery to be weighed separately, and such as are not of legal weight shall be delivered to the Melter and Refiner, as standard bullion, to be again formed into ingots and recoined.

Sec. 27. *And be it further enacted*, That at every delivery of coins made by the Chief Coiner to the Treasurer, it shall be the duty of the Treasurer, in the presence of the Assayer, to take, indiscriminately, a certain number of pieces of each variety for the annual trial of coins, (the number being prescribed by the Director,) which shall be carefully labeled and deposited in a chest appropriated for the purpose, kept under the joint care of the Treasurer and Assayer, and so secured that neither can have access to its contents without the presence of the other.

Sec. 28. *And be it further enacted*, That the Chief Coiner shall, from time to time, deliver to the Treasurer the clippings and other portions of bullion remaining after the process of coining, and that the Treasurer shall keep a careful record of their amount.

Sec. 29. *And be it further enacted*, That, in the Treasurer's account with the Chief Coiner, the Chief Coiner shall be debited with the amount in weight of standard metal of all the bullion placed in his hands, and credited with the amount, also by weight, of all the coins, clippings, and other bullion delivered by him to the Treasurer, and that once at least in every year, at such time as the Director shall appoint, the Chief Coiner shall deliver to the Treasurer all the coins and bullion in his possession, so that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of ingots delivered to him, and of the coins and bullion received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of the silver, or one and one half thousandth of the whole amount of the gold, that had been delivered to him by the Treasurer.

Sec. 30. *And be it further enacted*, That when the coins which are the equivalent to any deposite of bullion are ready for delivery, they shall be paid over to the depositor, or his order, by the Treasurer, on a warrant from the Director; and the payments shall be made, if demanded, in the order in which the bullion shall have been brought to the Mint, giving priority according to priority of deposite only; and that in the denominations of coin delivered, the Treasurer shall comply with the wishes of the depositor, unless when impracticable or inconvenient to do so, in which case the denominations of coin shall be designated by the Director.

Sec. 31. *And be it further enacted*, That, for the purpose of enabling the Mint to make the returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in the said Mint, when the state of the Treasury will admit thereof, a deposite of such amount of public money, or of bullion procured for the purpose, as he shall judge convenient and necessary, not exceeding one million of dollars, out of which those who bring bullion to the Mint may be paid the value thereof, as soon as practicable after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no discount or interest shall be charged on money so advanced; and that the Secretary of the Treasury may at any time withdraw the said deposite, or any part thereof, or may, at his discretion, allow the coins formed at the Mint to be given for their equivalent in other money.

Sec. 32. *And be it further enacted*, That, to secure a due conformity in the gold and silver coins to their respective standards and weights, an annual trial shall be made of the pieces reserved for this purpose at the Mint and its Branches, before the judge of the

district court of the United States for the eastern district of Pennsylvania, the attorney of the United States for the eastern district of Pennsylvania, and the collector of the port of Philadelphia, and such other persons as the President shall from time to time designate for that purpose, who shall meet as commissioners for the performance of this duty, on the second Monday in February, annually, and may continue their meetings by adjournment, if necessary; and if a majority of the commissioners shall fail to attend at any time appointed for their meeting, then the Director of the Mint shall call a meeting of the commissioners at such other time as he may deem convenient; and that before these commissioners, or a majority of them, and in the presence of the officers of the Mint, such examination shall be made of the reserved pieces as shall be judged sufficient; and if it shall appear that these pieces do not differ from the standard fineness and weight by a greater quantity than is allowed by law, the trial shall be considered and reported as satisfactory; but if any greater deviation from the legal standard or weight shall appear, this fact shall be certified to the President of the United States, and if, on a view of the circumstances of the case, he shall so decide, the officer or officers implicated in the error shall be thenceforward disqualified from holding their respective offices.

Sec. 33. *And be it further enacted*, That copper bullion shall be purchased for the Mint, from time to time, by the Treasurer, under instructions from the Director; that the cost shall be paid from the fund hereinafter provided for; and that the copper bullion shall be of good quality, and in the form of planchets, fit for passing at once into the hands of the Chief Coiner.

Sec. 34. *And be it further enacted*, That the copper planchets shall be delivered, from time to time, by the Treasurer to the Chief Coiner, to be by him coined; and all such copper shall be returned to the Treasurer by the Chief Coiner, weight for weight, without allowance for waste.

Sec. 35. *And be it further enacted*, That it shall be the duty of the Treasurer of the Mint to deliver the copper coins in exchange for their legal equivavalent in other money, to any persons who shall apply for them: *Provided*, That the sum asked for be not less than a certain amount to be determined by the Director, and that it be not so great as, in his judgment, to interfere with the capacity of the Mint to supply other applicants.

Sec. 36. *And be it further enacted*, That the copper coins may, at the discretion of the Director, be delivered in any of the principal cities and towns of the United States, at the cost of the Mint for transportation.

Sec. 37. *And be it further enacted*, That the money received by the Treasurer in exchange for copper coins, shall form a fund in his hands, which shall be used to purchase copper planchets, and to pay the expense of transportation of copper coins; and that if there be a surplus, the same shall be appropriated to defray the contingent expenses of the Mint.

Sec. 38. *And be it further enacted*, That all acts or parts of acts heretofore passed, relating to the Mint and coins of the United States, which are inconsistent with the provisions of this act, be, and the same are hereby, repealed.

Approved, Jan. 18th, 1837.

OTHER LEGAL PROVISIONS

STILL IN FORCE.

I. PROVISIONS OF THE CONSTITUTION OF THE UNITED STATES.

The congress shall have power—To coin money; regulate the value thereof, and of foreign coins; and fix the standard of weights and measures. (Art. I, Sect. 8.)

No state shall coin money, or make any thing but gold and silver a legal tender in payment of debts. (Art. I, Sect. 10.)

II. ESTABLISHMENT AND LOCATION OF THE MINT.

Be it enacted, &c.—That a Mint, for the purpose of a national coinage, be, and the same is established, to be situate and carried on at the seat of government of the United States, for the time being. (Act of April 2d, 1792: the seat of government being then at Philadelphia.)

Be it enacted, &c., That, until the 4th day of March, 1801, the Mint shall remain in the city of Philadelphia, and be carried on as heretofore, under the laws now in force, any law to the contrary notwithstanding. (Act of May 14th, 1800.)

Be it enacted, &c., That the Mint shall remain in

Philadelphia until the 4th day of March, in the year 1803. (Act of March 3d, 1801.)

This act was revived and continued in force and operation, for successive periods of five years, until the 4th of March, 1828, when the location of the Mint at Philadelphia was made permanent, by the following enactment:

Be it enacted, &c., That the act entitled "An Act concerning the Mint," approved March the third, one thousand eight hundred and one, be, and the same hereby is, revived and continued in force and operation, until otherwise provided by law. (Act of May 19th, 1828, Sect. 1.)

III. MONEY OF ACCOUNT OF THE UNITED STATES.

Be it enacted, &c., That the money of account of the United States shall be expressed in dollars or units, dimes or tenths, cents or hundredths, and mills or thousandths; a dime being the tenth part of a dollar, a cent the hundredth part of a dollar, a mill the thousandth part of a dollar; and that all accounts in the public offices, and all proceedings in the courts of the United States, shall be kept and had in conformity to this regulation. (Act of April 2d, 1792, Sect. 20.)

IV. COPPER COINS CURRENT.

Be it enacted, &c., That after the expiration of six calendar months from the time when there shall have been paid into the Treasury, by the said Director, in cents and half cents, a sum not less than fifty thousand dollars—which time shall forthwith be announced by the Treasurer in at least two gazettes or newspapers, published at the seat of the government of the United States, for the time being—no copper coins or pieces whatsoever, except the said cents and half cents, shall pass current as money, or shall be paid or offered to be paid, or received in payment for any debt, demand, claim, matter or thing whatsoever; and all copper coins or pieces, except the said cents and half cents, which shall be paid or offered to be paid, or received in payment, contrary to the prohibition aforesaid, shall be forfeited; and every person by whom any of them shall have been so paid or offered to be paid, or received in payment, shall also forfeit the sum of ten dollars; and the said forfeiture and penalty shall and may be recovered with costs of suit, for the benefit of any person by whom information of the incurring thereof shall have been given. (Act of May 8th, 1792, Sect. 2. The announcement required having been duly made by the Treasurer of the United States, this enactment is in full force.)

V. FOREIGN COINS CURRENT.

GOLD COINS.

SEC. 1. *Be it enacted, &c.*, That, from and after the thirty-first day of July next, the following gold coins shall pass current as money within the United States, and be receivable in all payments, by weight, for the payment of all debts and demands, at the rates following; that is to say—the gold coins of Great Britain, Portugal, and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight tenths of a cent per pennyweight; the gold coins of France, nine tenths fine, at the rate of ninety-three cents and one tenth of a cent per pennyweight;

and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats, three grains and seven sixteenths of a grain, at the rate of eighty-nine cents and nine tenths of a cent per pennyweight.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid gold coins, made current by this act, to be had at the Mint of the United States, at least once in every year, and to make report of the result thereof to Congress.

SILVER COINS.

SEC. 1. *Be it enacted, &c.,* That, from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar; that is to say—the dollars of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each; and those restamped in Brazil of the like weight; and of not less fineness than ten ounces fifteen pennyweights pure silver in the Troy pound of twelve ounces of standard silver. And the five-franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights, in twelve ounces Troy weight of standard silver, and weighing not less than 384 grains each, at the rate of ninety-three cents each.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid silver coins, made current by this act, to be had at the Mint of the United States, at least once in every year, and to make report of the result thereof to Congress. (Acts of June 28th, 1834.)

VI. OLD STANDARDS AND WEIGHTS OF COINS.

SILVER COINS.

Be it enacted, &c., That the standard for all silver coins of the United States shall be one thousand four hundred and eighty-five parts fine, to one hundred and seventy-nine parts alloy; and, accordingly, that one thousand four hundred and eighty-five parts, in one thousand six hundred and sixty-four parts of the entire weight of each of the said coins, shall consist of pure silver, and the remaining one hundred and seventy-nine parts of alloy—which alloy shall be wholly of copper. (Act of April 2d, 1792, Sec. 13.)

This standard corresponds to 892.4 thousandths.

By Sec. 9 of the same act, the weight of the dollar is fixed at four hundred and sixteen grains of the above standard, and the weight of the parts of the dollar in proportion.

This standard and weight were retained until the end of the year 1836, and the coins of this period are still legal tenders of payment.

GOLD COINS.

Be it enacted, &c., That the standard for all gold coins of the United States shall be eleven parts fine to one part alloy; and, accordingly, that eleven parts in twelve of the entire weight of each of the said coins shall consist of pure gold, and the remaining one twelfth part of alloy; and the said alloy shall be composed of silver and copper, not exceeding one half silver, as shall be found convenient. (Act of April 2d, 1792, part of Sec. 12.)

This standard corresponds to twenty-two carats, or to $916\frac{2}{3}$ thousandths.

By Sec. 9 of the same act, the weight of the eagle was fixed at two hundred and seventy grains, and the weight of the half and quarter eagle in proportion.

This standard and weight were retained until the end of July, 1834, when the following enactments came into force.

Be it enacted, &c., That the gold coins of the United States shall contain the following quantities of metal; that is to say—each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; each half eagle, one hundred and sixteen grains of pure gold, and one hundred and twenty-nine grains of standard gold; each quarter eagle shall contain fifty-eight grains of pure gold, and sixty-four and a half grains of standard gold. Every such eagle shall be of the value of ten dollars; every such half eagle shall be of the value of five dollars; and every such quarter eagle shall be of the value of two dollars and fifty cents. And the said gold coins shall be received in all payments, when of full weight, according to their said respective values; and, when of less than full weight, at less values, proportioned to their respective actual weights. (Act of June 28th, 1834, Sect. 1.)

Be it further enacted, That all gold coins of the United States, minted anterior to the thirty-first day of July next, shall be receivable in all payments at the rate of ninety-four and eight tenths of a cent per pennyweight. (Sect. 3 of the same act.)

The above standard, which corresponds to 21 carats $2\frac{14}{43}$ grains, or 899.225 thousandths, continued until the act of January, 1837, when it was changed to 900 thousandths. The weights of the gold coins were not, however, altered; and all gold coins made after July 31, 1834, are legal tenders, according to their nominal values.

VII. AGAINST COUNTERFEITING COINS.

Be it enacted, &c., That if any person or persons shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited; or willingly aid or assist in falsely making, forging, or counterfeiting, any coin in resemblance or similitude of the gold or silver coin which has been, or hereafter may be, coined at the Mint of the United States; or in the resemblance or similitude of any foreign gold or silver coin which by law now is, or hereafter may be made, current in the United States; or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States from any foreign place, with intent to pass, utter, publish, or sell, as true, any such false, forged, or counterfeited coin, knowing the same to be false, forged, or counterfeited, with intent to defraud any body, politic or corporate, or any other person or persons whatsoever; every person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment and confinement at hard labour, not exceeding ten years, according to the aggravation of the offence.

And be it further enacted, That if any person or persons shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any coin in the resemblance or similitude of any copper coin which has been, or hereafter may be, coined at the Mint of the United States; or shall pass, utter, publish, or sell; or attempt to pass, utter, publish, or sell; or bring into the United States from any foreign place, with intent to pass, utter, publish, or sell, as true, any such false, forged, or counterfeited coin, with intent to defraud any body, politic or corporate, or any person or persons whatsoever; every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, and by imprisonment, and confinement to hard labour, not exceeding three years. (Act of March 3d, 1825, Sect. 20, 21.)

VIII. AGAINST OFFENCES AT THE MINT.

Be it enacted, &c., That if any of the gold or silver coins, which shall be struck or coined at the Mint of the United States, shall be debased, or made worse as to the proportion of fine gold or fine silver therein contained; or shall be of less weight or value than the same ought to be, pursuant to the several acts relative thereto, through the default or connivance of any of the officers or persons who shall be employed at the said Mint, for the purposes of profit or gain, or otherwise, with a fraudulent intent; and if any of the said officers or persons shall embezzle any of the metals which shall, at any time, be committed to their charge for the purpose of being coined, or any of the coins which shall be struck, or coined, at the said Mint, every such officer or person who shall

commit any, or either of the said offences, shall be deemed guilty of felony, and shall be sentenced to imprisonment and hard labour, for a term not less than one year, nor more than ten years; and shall be fined in a sum not exceeding ten thousand dollars. (Act of March 3d, 1825, Sect. 24.)

IX. STANDARD WEIGHTS OF THE MINT.

Be it enacted, &c., That, for the purpose of securing a due conformity in weight of the coins of the United States, to the provisions of the ninth section of the act, passed the second of April, one thousand seven hundred and ninety-two, entitled "An Act establishing a Mint, and regulating the coins of the United States," the brass Troy pound weight procured by the minister of the United States, at London, in the year one thousand eight hundred and twenty-seven, for the use of the Mint, and now in the custody of the Director thereof, shall be the standard Troy pound of the Mint of the United States, conformably to which the coinage thereof shall be regulated.

And be it further enacted, That it shall be the duty of the Director of the Mint to procure, and safely to keep, a series of standard weights, corresponding to the aforesaid Troy pound, consisting of a one pound weight and the requisite sub-divisions and multiples thereof, from the hundredth part of a grain to twenty-five pounds; and that the Troy weights ordinarily employed in the transactions of the Mint, shall be regulated according to the above standards, at least once in every year, under his inspection, and their accuracy tested annually in the presence of the Assay

Commissioners, on the day of the annual assay. (Act of May 19th, 1828, Sect. 2, 3.)

X. ASSAY OF BULLION NOT INTENDED FOR COINAGE.

Be it enacted, &c., That it shall be lawful for the Director of the Mint to receive, and cause to be assayed, bullion not intended for coinage, and to cause certificates to be given of the fineness thereof, by such officer as he shall designate for that purpose, at such rates of charge, to be paid by the owner of said bullion, and under such regulations as the said Director may from time to time establish. (Act of May 19th, 1828, Sect. 7.)

XI. UNEXPENDED APPROPRIATIONS.

Be it enacted, &c., That in regard to any sum which shall have remained unexpended upon any appropriation other than for the payment of interest on the funded debt; for the payment of interest upon, and reimbursement, according to contract, of any loan or loans made on account of the United States; for the purpose of the sinking-fund; or for a purpose, in respect to which a longer duration is specially assigned by law, for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, such appropriation shall be deemed to have ceased and been determined: and the sum so unexpended shall be carried to an account, on the books of the Treasury to be denominated, "The Surplus Fund," &c. (Act of March, 3d, 1795, Sect. 16.)

XII. PROVISION FOR THE PURCHASE OF BULLION FOR COINAGE.

Provided, That it may be lawful for the President of the United States to direct transfers of the public money to be made from time to time, to the Mint and Branch Mints of the United States, for supplying metal for coinage. (*Proviso* in Sect. 12 of the law regulating the deposites of public moneys: approved, July, 1836.)

XIII. ACT TO ESTABLISH BRANCHES OF THE MINT OF THE UNITED STATES.

Be it enacted, &c., That Branches of the Mint of the United States shall be established as follows:—One branch at the city of New Orleans for the coinage of gold and silver: one Branch at the town of Charlotte in Mecklenburg county in the state of North Carolina, for the coinage of gold only: and one Branch at or near Dahlonega in Lumpkin county, in the state of Georgia, also for the coinage of gold only. And for the purpose of purchasing sites, erecting suitable buildings, and completing the necessary combinations of machinery for the several Branches aforesaid, the following sums, to be paid out of any money in the Treasury, not otherwise appropriated, shall be and hereby are appropriated: for the Branch at New Orleans, the sum of two hundred thousand dollars; for the Branch at Charlotte, fifty thousand dollars; and for the Branch at Dahlonega, fifty thousand dollars.

Sec. 2. *And be it further enacted,* That so soon as the necessary buildings are erected, for the well conducting the business of each of the said Branches, the following officers shall be appointed upon the nomination of the President, and with the advice and consent of the Senate:—One Superintendent, one Treasurer, one Assayer, one Chief Coiner, one Melter, and one Refiner. And the Superintendent of each Mint shall engage and employ as many clerks, and as many subordinate workmen and servants, as shall be provided for by law: and the salaries of the said officers and clerks shall be as follows:—For the Branch Mint at New Orleans:—to the Superintendent, the sum of two thousand five hundred dollars: to the Treasurer, the sum of two thousand dollars: to the Chief Coiner, the sum of two thousand dollars: to the Assayer, Melter and Refiner, the sum of two thousand dollars each: to two clerks, the sum of twelve hundred dollars each: to the subordinate workmen and servants, not exceeding twenty in number, such wages and allowances as are customary and reasonable, according to their respective stations and occupations. For the Branches at Charlotte and Dahlonega, to the Superintendents, each the sum of two thousand dollars, who shall respectively discharge the duty of Treasurers: to the Chief Coiners, each the sum of one thousand five hundred dollars: to the Assayers, Melters, and Refiners, each the sum of one thousand five hundred dollars: to the clerks, not exceeding one at each Branch, the sum of one thousand dollars: and to the subordinate workmen and servants, not exceeding the number of five at each of the said Branches, such wages and allowances shall be paid as are customary and reasonable, according to their respective stations and occupations. And for the purpose of paying the said salaries, wages, allowances,

and the incidental expenses of the said Branches of the Mint for the year one thousand eight hundred and thirty-five, the following sums, to be paid out of any money in the Treasury not otherwise appropriated:—for the Branch at New Orleans, the sum of thirty-five thousand dollars; for the Branches at Charlotte and Dahlonega, the sum of fifteen thousand dollars each.

Sec. 3. *And be it further enacted,* That the officers and clerks to be appointed under this act, before entering upon the duties thereof, shall take an oath or affirmation, before some judge of the United States, faithfully and diligently to perform the duties thereof; and shall each become bound to the United States of America, with one or more sureties to the satisfaction of the Director of the Mint, and the Secretary of the Treasury, with condition for the faithful and diligent performance of the duties of their offices.

Sec. 4. *And be it further enacted,* That the general business of the said Branches of the Mint of the United States, shall be under the control and regulation of the Director of the Mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose, it shall be the duty of the said Director to prescribe such regulations, and require such returns, periodically, and occasionally, as shall appear to him to be necessary, for the purpose of carrying into effect the intention of this act in establishing the said Branches: also, for discriminating the coins which shall be stamped at each Branch, and at the Mint itself: also, for the purpose of preserving uniformity of weight, form, and fineness in the coins stamped at each place. And for that purpose, to require the transmission and delivery to him at the Mint, from time to time, such parcels of the coinage of each Branch as he shall think proper, to be subjected to such assays and tests as he shall direct.

SEC. 5. *And be it further enacted*, That all the laws, and parts of laws, made for the regulation of the Mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the Mint or coinage of the United States, shall be, and the same are hereby declared to be, in full force, in relation to each of the Branches of the Mint, by this act established, so far as the same shall be applicable thereto. (Act of March 3d, 1835.)

XIV. AMENDMENT TO THE FOREGOING ACT ESTABLISHING BRANCH MINTS.

Be it enacted, &c. That the officers of the Branch Mint at New Orleans shall be one Superintendent, one Treasurer, one Assayer, one Melter and Refiner, and one Coiner; and that the officers of the Branch Mints at Charlotte and Dahlonega, severally, shall be one Superintendent, who shall also perform the duties of Treasurer; one Assayer, who shall also perform the duties of Melter and Refiner; and one Coiner; and the annual salaries of the said officers shall be as follows: for the Branch at New Orleans, to the Superintendent, two thousand five hundred dollars; to the Treasurer, the Assayer, the Melter and Refiner, and the Coiner, each, two thousand dollars; for the Branches at Charlotte and at Dahlonega, to the Superintendent, two thousand dollars; and to the Assayer and the Coiner, each, fifteen hundred dollars.

SEC. 2. *And be it further enacted*, That so much of the act entitled "An Act to establish Branches of

the Mint of the United States," approved the third day of March, one thousand eight hundred and thirty-five, as is inconsistent with the provisions of this act, be, and the same is hereby, repealed. (Act of 1837.)

Superintendent, who shall
Treasurer; one Assayer, who shall
duties of Melter and Refiner; and one Coiner;
annual salaries of the said officers shall be as follows: for the Branch at New Orleans, to the Superintendent, two thousand five hundred dollars; to the Treasurer, the Assayer, the Melter and Refiner, and the Coiner, each, two thousand dollars; for the Branches at Charlotte and at Dahlonega, to the Superintendent, two thousand dollars; and to the Assayer and the Coiner, each, fifteen hundred dollars.

SEC. 2. *And be it further enacted*, That so much of the act entitled "An Act to establish Branches of